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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/007,584

12/05/2001

Julius Kendall

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3539

26486

75901

06/01/2004

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EXAMINER

FRANK, RODNEY T

ART UNIT

PAPER NUMBER

2856

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/007,584

Applicant(s)

KENDALL, JULIUS

Examiner

Rodney T. Frank

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-8,10,12-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8,10 and 12, 13, 17-19, and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-8, 10, 12, 13, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sikorski Helicopter Technical Manual (herein after referred to as Sikorski).

3. In reference to claim 1, Sikorski discloses pressure sensor means; and a pressure-tight fluid line having a first end and a second end, wherein said first end being connected to said pressure sensor means and said second end being connected to an inlet valve of a hollow helicopter blade, whereby said pressure-tight between said pressure sensor means blade allowing high pressure gas to sensor means and the hollow helicopter blade fluid line forms a passageway and the hollow helicopter flow between said pressure. Sikorski fails to disclose the use of a digital pressure gauge, but the use of a digital gauge in exchange for an analog gauge would be obvious to one of ordinary skill in the art at the time of the invention as the various benefits of digital gauges over analog gauges are well established.

In reference to claims 3, 10, and 21, though the use of a battery power source is not specifically disclosed, the use of batteries to power a testing device is well established in the art and one of ordinary skill in the art would be motivated to do so to make a device field operable or operable in an environment where electricity is not readily available.

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In reference to claims 5-8, and 19, the device of the claims is clearly shown in the Sikorski manual in figure 1, except for the digital pressure gauge, wherein the substitution of a digital gauge for an analog one has been discussed above.

In reference to claim 13, please see page 9, paragraph h.

4. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Kendall "Check and Fill Unit Model #ECF-4001 Instruction Plate", hereinafter referred to as the "Kendall Plate". The Kendall Plate teaches all the steps described in the method claims, but it does not specifically teach providing a digital pressure sensor to use with testing apparatus. Since, as discussed above, to replace the analog gauge with a digital gauge would have been an obvious substitution, and the method is described in view of an apparatus for its use. Therefore, the first step listed is completely dependent upon the testing apparatus used and could be modified to fit into any test device configuration, depending on the specific testing apparatus used.

#### *Response to Arguments*

5. Applicant's arguments filed 27 August 2003 have been fully considered but they are not persuasive. The applicant argues that it is not obvious to substitute a digital sensor for an analog sensor. The examiner disagrees. The use of digital sensors is well established in the sensor art as digital sensors have been known to provide numerous advantages when compared to analog sensors. Some of these advantages were even presented to the examiner during the applicants arguments. Due to this, it appears that one of ordinary skill would be able to use a digital sensor instead of an analog one. For at least this reason, the examiner feels that the rejection given is valid. For further support of the use of digital pressure sensors in aircraft sensing applications, I have enclosed McDermott et al. (U.S. Patent Number 6,326,896) which discloses a similar usage at column 8, line 60 and at column 2 line 40.

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*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney T. Frank whose telephone number is (571) 272-2193. The examiner can normally be reached on M-F 9am -5:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RTF  
January 23, 2004

  
HEZRON WILLIAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800